

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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CRAIG DAVIS, as parent and  
natural guardian of  
ANDREW DAVIS,  
Plaintiff,

vs.

CATAMOUNT DEVELOPMENT CORP.,  
CATAMOUNT DEVELOPMENT CORP.  
d/b/a CATAMOUNT SKI AREA,  
Defendants.

CIVIL ACTION  
No. 05-30011-MAP

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AFFIDAVIT OF WILLIAM GILBERT

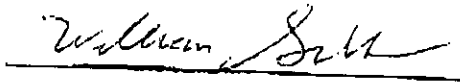
I, William Gilbert, do depose and state the following:

1. I have personal knowledge of the facts stated in this affidavit.
2. I am the President of Catamount Development Corp. d/b/a Catamount Ski Area.
3. Catamount does not take photographs of every accident scene.
4. Catamount does not take photographs of every accident scene involving children.
5. Catamount does not take photographs of every accident scene involving collisions with objects.
6. At some point after the accident, Andrew Davis' father, Craig Davis, came into my office and appeared to be upset about the accident.
7. After Craig Davis came into my office concerning the accident, Rich Edwards took five (5)

photographs of the accident scene approximately one week after the accident.

8. I directed Richard Edwards to take these photographs because I believed that a lawsuit might be filed against Catamount, and I needed to obtain facts about the incident in the event that a claim was filed against Catamount.
9. Richard Edwards took twelve (12) additional photographs of the accident scene in May of 2004.
10. I directed Richard Edwards to take these photographs because I believed that a lawsuit might be filed against Catamount, and I needed to obtain facts about the incident in the event that a claim was filed against Catamount.
11. My instincts that a lawsuit would be filed were confirmed on or about July 13, 2004, when Catamount received correspondence from counsel for plaintiff indicating that a claim would be filed against Catamount.
12. In March of 2005, Richard Edwards took five (5) additional photographs of the accident scene.
13. I directed Richard Edwards to take these photographs because I believed that a lawsuit might be filed against Catamount, and I needed to obtain facts about the incident in the event that a claim was filed against Catamount.
14. Finally, on March 24, 2006, Richard Edwards took six (6) additional photographs of the accident scene.
15. I directed Richard Edwards to take these photographs because I believed that a lawsuit might be filed against Catamount, and I needed to obtain facts about the incident in the event that a claim was filed against Catamount.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 30<sup>th</sup> DAY OF MARCH,  
2006;

A handwritten signature in dark ink, appearing to read "William Gilbert", is written over a horizontal line.

William Gilbert  
President  
Catamount Development Corp. d/b/a Catamount Ski Area